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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,236	02/18/2000	John G. Ellis	081862.P163	9691

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EXAMINER

MEHRA, INDER P

ART UNIT

PAPER NUMBER

2666

DATE MAILED: 05/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/507,236

Applicant(s)

ELLIS, JOHN G. 

Examiner

Inder P Mehra

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Refer to page 11 line 7 and page 12 line 19. UNI port 24 is not in fig2.

Appropriate correction is required.

Refer to page 1 line 21, Change “tot he” to “to the”.

Appropriate correction is required.

Abstract

2. The abstract of the disclosure is objected to because it is too short, and should includes all the aspects of the invention. Correction is required. See MPEP § 608.01(b).

Information Disclosure Statement

3. The date of protocol UNI 3.1/4.0 and Q.2931, as recited in claim 6 in not specified in specification, refer to pages 7 line 21, 8 lines 20-25 through page 9 line 9. Dated copy of the protocol be provided as part of IDS for reference.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by

Brueckheimer et al (US Patent No. 6,519,261), hereinafter, Brueckhimer ('261).

For claims 1 and 3, Brueckheimer ('261) discloses, in reference to fig. 1, a method comprising dynamically (col. 2 line 53-60), establishing ATM adaptation layer 2 (AAL-2) channel identifiers (CIDs) on a call-by-call basis, refer to abstract, col. 1 line 4-6, col. 1 line 44, col. 3 lines 25-26, using ATM standards-based call control signaling protocol (col. 5 line 65-col. 6 line 9).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 4-6, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Brueckheimer et al ('261), as applied to claims 1 and 3 above, and further in view of

Brueckheimer et al (US Patent No. 6,496,508), hereinafter, '508);

For claims 2, 4-6 and 11, Brueckhimer ('261) discloses the method of claim 1 further comprising translations (mapping) the CIDs to a local channel ID (virtual path/virtual channel (VP/VC)), refer to col. 10 lines 19-21:

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Brueckhimer ('261) does not disclose expressly mapping CID to a virtual path/virtual channel that forms part a virtual user network interface (UNI) to an ATM network; and ATM call control protocol is selected from the list comprising UNI 3.1/4.0 and Q.2931, as taught by claim 6;

Brueckhimer ('508) discloses VPI/VCI information pertaining to end points of a cross connect and establishing a connection (mapping) between narrowband trunk to a pre-provisioned virtual channel connection (VCC) using the stored VPI/VCI information (mapping CID to VPI/VCI), refer to abstract and col. 4 lines 38-45; and further discloses UNI interface, refer to col. 3 lines 36-42; and further discloses Q.2931 for signaling protocol, refer to col. 3 lines 48-49;

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of mapping CID with VPI/VCI forming part of user network interface UNI to an ATM network. The mapping of channel identifier (CID) to VPI/VCI can be implemented by combining the system as taught by Breuckheimer et al ('508) with Breuckheimer et al ('261) at the user network interface (UNI) to an ATM network. The suggestion/motivation to do so would have been to match the traffic types and quality of service requirements.

For claim 12, Brueckheimer ('261) discloses computer-readable medium embodying the computer-readable instructions, refer to col. 13 lines 1-13.

8. Claims 7-10, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Brueckheimer et al** ('261), in view of **Brueckheimer et al**, hereinafter, Brueckhimer ('508), as

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applied to claims 1-6 and 11-12 above, and further in view of **Burns et al** (US Patent No. 6,490,245), hereinafter, Burns;

For claims 7 and 8, Brueckhimer ('261 and '508) disclose all the subject matter of the claimed invention with the exception of "network edge device communicatively coupled to customer premises equipment";

Burns discloses, in reference to fig. 1, customer premises equipment (CPE 12A, 12B and 12C) connected to user network interface (UNI) (network edge device), refer to col. 6 line 54;

It would have been obvious to a person of ordinary skill in the art at the time of the invention to use the capability of mapping CID with VPI/VCI forming part of user network interface UNI to an ATM network. The mapping of channel identifier (CID) to VPI/VCI can be implemented at the network edge by combining the system as taught by Breuckheimer et al ('508) with Breuckheimer et al ('261) and Burns at the user network interface (UNI) to an ATM network. The suggestion/motivation to do so would have been to match the traffic types and quality of service requirements and allow the use of switch by the customer.

For claims 9, Brueckhimer ('261) discloses the following limitations:

- multiplexing the TDM channels to one or more AAL-2 VPs/VCs, refer to col. 2 lines 45-48 and fig. 1.

For claims 10, 13 and 14, Brueckhimer ('261) discloses the following limitations:

- computer readable instructions -----cause the processor to multiplex one or

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more TDM communication channel to one or more AAL-2 VPs/VCs, refer to col. 13 lines 1-13, col. 2 lines 45-48, and col. 3 line 34-col. 4 lines 24, prior to mapping the AAL-2 CIDs to the VP/VC, fig. 1 and col. 10 lines 19-21.

Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Baldwin et al (US Patent No. 5,953,339) discloses a digital cellular/personal communication service (PCS) applications incorporates a logical link connection server.
- Subbiah et al (US patent No. 6,449,276) discloses method and apparatus for efficient switching of partial mini cells in AAL-2.

Conclusion

10. Any enquiry concerning this communication should be directed to Inder Mehra whose telephone number is (703) 305-1985. The examiner can be normally reached on Monday through Friday from 8:30AM to 5:00 PM.

If attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Seema Rao, can be reached on (703) 308-5463. Any enquiry of a general nature of relating to the status of this application or processing should be directed to the group receptionist whose telephone number is (703) 305-4700.

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11. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC. 20231

Or faxed to (703) 872-9314.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,
Arlington, VA, sixth floor (Receptionist).

Inder Mehra
Inder Mehra 4/21/03

April 21, 2003

DM